

**REMARKS**

In paragraph 3 of the present Office Action, Claims 1-20 are rejected under 35 U.S.C. § 112, second paragraph, as unpatentable as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner notes that Claims 1-20 do not "specifically and particularly point out and identify which phase of a transaction application regards as his invention."

After carefully considering the Examiner's comments, Applicant respectfully traverses the rejection under 35 U.S.C. § 112, second paragraph, because the claims particularly point out and distinctly claim the invention set forth in the specification as required by the statute. The Examiner's comments are directed to the failure of the claims to recite a particular phase of a transaction (e.g., a request phase, a response phase, an arbitration phase, etc.). Upon review of the present specification, Applicant notes that transaction phases are not the subject matter which Applicant sets forth as comprising his invention. Thus, Applicant is not required by the statute to include in the claims any recitation of a particular transaction phase. The inclusion or exclusion of such limitations in the claim is therefore a matter of claim breadth, not definiteness. MPEP 2173.04.

Next, Claim 12 is rejected under 35 U.S.C. § 112, second paragraph, as indefinite for including a typographical error in the reference to the base claim. In response to the rejection, Applicant has amended Claim 12 to depend from Claim 8 rather than Claim 1.

In paragraphs 6-13 of the present Office Action, Claims 1-2, 5, 7-9, 12-15 and 17 are rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent No. 6,272,600 to *Talbot et al.* (*Talbot*). In addition, in paragraphs 14-21 of the present Office Action, Claims 3-4, 6, 10-11, 16 and 18-20 are rejected under 35 U.S.C. § 103 as unpatentable over *Talbot* in view of U.S. Patent No. 6,108,735 to *Pawlowski*. Those rejections are respectfully traversed, and favorable reconsideration of the claims is respectfully requested.

Applicant believes that exemplary Claim 1 is not rendered unpatentable under 35 U.S.C. § 102 or § 103 in view of *Talbot* and/or *Pawlowski* because the cited references do not teach or suggest each feature recited in Claim 1 as amended herein. For example, the cited references do not teach or suggest, "if said status signal is not received during an interval of at least a latency of said status signal, removing the transmitted request from the entry of the request queue after expiration of said interval," as now recited in amended Claim 1.

With reference to the above-cited feature of Claim 1, which was formerly recited in Claim 3 (canceled herein), paragraph 16 of the present Office Action states, "Talbot does not disclose removing the request after an interval of at least a latency of said status signal if said status signal is not received during said interval." Column 2, lines 16-21 of *Pawlowski* are then relied upon as disclosing this step. The cited passage of *Pawlowski* discloses:

In one embodiment, the agent includes a queue and a timer. A controller within the agent starts the timer if the agent is not the target of the request, a snoop phase has occurred from the request, and the request is at the top of the queue. If the timer expires without the request having received a response, then the agent responds to the request.

Thus, as explained more fully in Figure 5 and col. 12, lines 10-60, *Pawlowski* discloses a technique for a recipient of a request that is not the intended recipient to respond to the request if the request is unclaimed upon expiration of a timer.

The combination of *Talbot* and *Pawlowski*'s technique for responding to unclaimed requests does not render the present invention obvious because that combination does not teach or suggest "transmitting a status signal from the recipient to the requestor to signal the requestor to refrain from transmitting requests to the recipient" and "if said status signal is not received during an interval of at least a latency of said status signal, removing the transmitted request from the entry of the request queue after expiration of said interval," as now recited in Claim 1. Specifically, in Claim 1, it is the requestor that removes the request from the request queue of the requestor after expiration of an interval following transmission of the request to the recipient. In contrast, the combination of *Talbot* and *Pawlowski* disclose that a recipient of an unclaimed request can claim the request and provide a response after expiration of a timer and then

ostensibly remove the request from the recipient's bus state tracking queue (*Pawlowski*, Figure 4, element 430). Thus, the steps performed by the recipient of *Talbot/Pawlowski* do not teach or suggest the claimed operation of the requestor recited in Claim 1. Because the combination of *Talbot* and *Pawlowski* does not teach or suggest each claimed feature, Applicant respectfully submits that the rejection of Claim 1, similar Claim 8, and their respective dependent claims is overcome.

Applicant further believes that Claim 16 and its dependent claims are not rendered unpatentable under 35 U.S.C. § 102 or § 103 by *Talbot* and/or *Pawlowski* because the cited references do not disclose, whether considered individually or in combination, each feature recited therein. For example, the cited references do not teach or suggest, "a response receiver to which said recipient transmits request responses, wherein[] the response receiver includes priority logic that outputs an imprecise priority signal indicating at least one preferred type of request response" and "the recipient includes an arbiter that selects requests responses for transmission to the response receiver at least partially in response to the priority signal," as now recited in amended Claim 16.

With reference to the above-cited features of Claim 16, which were formerly recited in Claim 17 (canceled herein), paragraph 13 of the present Office Action cites col. 6, lines 47-64 of *Talbot*. The cited passage of *Talbot* discloses:

Upon entering the request reordering unit 214, the requests may have default priorities that define an initial ordering of the requests. By establishing a new ordering of the requests, the present invention assigns new priorities to the requests. Those requests targeting currently available addresses are assigned high priority.

The requests' default priorities may be determined by arbitrary criteria or heuristic rules. In an embodiment of the invention, older requests are defined as having higher priority than newer requests. The age of a request may be determined, for example, by the time at which the request was issued, the time at which the request is received, or a timestamp associated with the request. In another embodiment of the invention, the default priority is determined by a priority field associated with the request. The default priority may also be influenced by the identity of the entity, e.g., processor, which originally generated the request.

Thus, the cited passage of *Talbot* generally discloses a request reorder unit assigning new priorities to requests prior to transmitting the requests to a recipient memory.

In contrast to *Talbot*, Claim 16 recites that a response receiver to which the recipient of requests transmits request responses outputs "an imprecise priority signal indicating at least one preferred type of request response" and "the recipient includes an arbiter that selects requests responses for transmission to the response receiver at least partially in response to the priority signal." The cited passage of *Talbot* does not disclose the claimed imprecise priority signal, nor an arbiter in a recipient that selects request responses for transmission at least partially in response to the priority signal. Because *Talbot* discloses a request reorder unit assigning new priorities to requests rather than arbiter selecting request responses in response to a priority signal from a response receiver, Applicant respectfully submits that Claim 16 and its dependent claims are not rendered unpatentable by *Talbot* and/or *Pawlowski*.

Having now responded to each rejection set forth in the present Office Action, Applicant believes all pending claims are now in condition for allowance and respectfully requests such allowance.

No additional fee is believed to be required. If, however, any additional fees are required, please charge those fees to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

---

Brian F. Russell  
Registration No. 40,796  
DILLON & YUDELL LLP  
8911 N. Capital of Texas Hwy., Ste. 2110  
Austin, Texas 78759  
(512) 343-6116

ATTORNEY FOR APPLICANT